

Atty. Dkt. No. 026032-4991

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Deissmann et al.

Title: ADJUSTABLE SEAT AND
METHOD FOR USE

Appl. No.: To be determined

Filing Date: 03/09/2006

Examiner: To be determined

Art Unit: To be determined

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| CERTIFICATE OF EXPRESS MAILING | |
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

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Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each document considered relevant by the examiner. The relevance of the foreign-language documents is described in English-language abstracts for the documents provided herewith. However, English-language counterparts of the foreign-language documents have not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 06-1447.

Respectfully submitted,

Date 3-9-06

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By 

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Attorney for Applicant
Registration No. 56,671

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| Substitute for Form 1449B/PTO | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | Application Number | To Be Determined |
| Date Submitted: March 9, 2006 | | Filing Date | 03/09/2006 |
| (use as many sheets as necessary) | | First Named Inventor | Bernd Deissmann |
| Sheet | 1 | Group Art Unit | To Be Determined |
| | of 1 | Examiner Name | To Be Determined |
| | | Attorney Docket Number | 026032-4991 |

U.S. PATENT DOCUMENTS

| CITED PATENT DOCUMENTS | | | | | | |
|------------------------|-----------------------|----------------------|-----------------------------------|---|---|--|
| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number | Kind Code ² (if known) | | | |
| | A1 | 4,484,776 | | Gokimoto et al. | 11-27-1984 | |
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U.S. PATENT APPLICATION DOCUMENTS

| Examiner Initials* | Cite No. ¹ | U.S. Patent Application Document | | Name of Patentee or Applicant of Cited Document | Filing Date of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | Name of Patentee or Applicant of Cited Documents | Date of Documentation of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|-------------------------|---------------------|--|--|---|----------------|
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | |
| A2 | DE | 101 39 538 | C1 | Habedank | 03-20-2004 | | |
| A3 | DE | 101 36 244 | C1 | Schaefer | 08-29-2002 | | |
| A4 | DE | 100 56 024 | A1 | Blaesi | 06-20-2002 | | |
| A5 | DE | 297 15 345 | U1 | Johnson Controls GmbH | 02-11-1999 | | |
| A6 | EP | 0557533 | A1 | Rieck et al. | 12-29-1993 | | |

NON-PATENT LITERATURE DOCUMENTS

| | | | |
|--------------------|-----------------------|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
| | A7 | International Search Report for PCT/EP2004/009955, date of mailing 12/28/2004, 3 pages. | |
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|-----------------------|------------------|--------------------|------------|
| Examiner Signature | /Laurie Cranmer/ | Date Considered | 08/12/2009 |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 18 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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